

Aquatic Invasive Species Advisory Council
June 6, 2012
Minutes

A request was received to add two nonvoting members to the Aquatic Invasive Species (AIS) Advisory Council (Council): Mark Burrows and Li Wang, International Joint Commission (IJC). The consensus of the Council was to approve the request.

Council Member Updates

Sarah LeSage:

- A "Great Lakes Aquatic Invasions" brochure is available from the Great Lakes Commission (GLC) (copies were distributed at the meeting).
- Sarah LeSage put together and distributed an AIS Program Update.
- Governor Rick Snyder has proclaimed June 9-14, 2012, as AIS Awareness Week in Michigan to encourage people to help protect our waters by taking steps to prevent the spread and introduction of AIS. Information on AIS Awareness week, Governor Snyder's Proclamation, the House of Representatives' Resolution, and the Department of Environmental Quality's (DEQ) press release are available on the AIS Web page.

The materials mentioned above were provided to all legislators.

Tom Goniea:

- A press release was issued by the Department of Natural Resources (DNR) and Department of Attorney General (DAG) regarding seizure of grass carp that were being sold. Tom gave a brief overview of the case. Dan Vogler indicated that these individuals being caught selling invasive species are not associated with the Michigan Aquaculture Association. Bob Reichel indicated that the accused are being charged under state law; not the Lacey Act due to the species of carp being sold (grass carp), which is not prohibited in all states. Steve Halstead indicated that the Department of Agriculture and Rural Development (DARD) has a marketing process for alerting business owners. Bill Creal suggested that Steve Halstead, Sarah LeSage, Bob Reichel, and Tom Goniea get together and work on getting an alert out to the public regarding the illegal selling of AIS.

Tim Eder:

- The Lacey Act is a 100-year old law that protects both plants and wildlife by creating civil and criminal penalties for a wide array of violations, and most notably prohibits trade in wildlife, fish, and plants that have been illegally taken, transported or sold. The GLC is working to get the law updated.
- The Chicago Area Waterway System (CAWS) is a high priority for the GLC, and member states are anxious to see a solution. A report was issued in February regarding a project to develop and evaluate alternatives for physically separating the Great Lakes and Mississippi River basins in the CAWS to prevent the movement of Asian carp and other AIS. The GLC is working with the United States Army Corps of Engineers on this.
- The electric barrier/fence in the CWAS failed a couple weeks ago due to a power loss. The barrier system was shut down for about 14 minutes. There is no indication that Asian carp moved past the barrier toward Lake Michigan.

- Fun fact: Gloucester, England, held its 60th anniversary Queen Elizabeth's Diamond Jubilee in June 2012. Part of the event includes presenting the Queen with an eel pie. Because sea lamprey are now an endangered species in the United Kingdom, Gloucester made an inquiry to the Great Lakes Fishery Commission and obtained sea lamprey from Michigan to make the pie. Two pounds were donated.

Dan Vogler:

- Industry is concerned with some of the language of the proposed changes to the Lacey Act. They are not condoning illegal activity, but things happen that are unintentional or accidental and people should not be penalized or prosecuted.

Patty Birkholz:

- The Nature Conservancy, other nonprofit organizations, and government agencies worked with the Anderson Economic Group to develop a report on the cost of AIS invasions to the Great Lakes (available on The Nature Conservancy's Web page; Sarah LeSage will also send a link).

Mark Burrows:

- There will be a Great Lakes Ballast Water Collaborative meeting August 2 and 3, 2012, in Duluth, Minnesota. A 2010-2011 Binational Report on Protection of Great Lakes Water Quality is available; Annex 6 includes a very good summary of the current state of ballast water regulations in the Great Lakes, along with links to other documents.
- In regard to the CAWS power failure, several fish were detected trapped between the barriers; various methods are being used to clear them out.

Phyllis Green:

- The Ranger 3 ship is having a permanent UV ballast water treatment system installed. Great Ships Initiative ship trials will be held in August and September 2012.

Joel Brammeier:

- The Alliance for the Great Lakes is working to build local interest and support regarding the CAWS, especially in Chicago, to take a more active role in ballast water and AIS. Congress is taking an active interest in the ballast water issue; Joel will be briefing Congress on ballast water next week.

Draft 401 Certification

The comment period ended June 4, 2012. The DEQ's, Water Resources Division compiled all of the comments received and put together a summary, which Jerry Saalfeld reviewed at the meeting. The following is a breakdown of who submitted the 13 comment letters received: 2 from environmental groups; 8 from the shipping industry, 1 from a group representing the Michigan House of Representatives; 1 from a Michigan Senator, and 1 from the Detroit Regional Chamber. The Council reviewed some of the comments received. Clarification was provided regarding meeting the IMO standard while also complying with Michigan's permit. Between 2016 and 2026, the requirement will be to meet the IMO standard (per the Vessel General Permit), ballast water exchange, and saltwater flushing, in addition to complying with Michigan's permit. A compilation of the Council's comments on the certification are available on the AIS Web page.

Draft State Management Plan (SMP)

Sarah LeSage reviewed the comments received on the draft AIS SMP. The public comment period ended mid-May; a public meeting was also held. We received 32 comments from a wide variety of agencies; such as, landowners, United States Department of Agriculture, IJC, environmental groups, The Nature Conservancy, special interest groups, utilities, bait dealers, Tribes, universities, etc. The Aquatic Nuisance Species Task Force provided a preliminary review; they will be the agency to ultimately approve the SMP. Sarah is currently reviewing the comment summary document and will be creating a comment response document. Changes as discussed and agreed to by the Council to the Definitions/Introduction section of the SMP are available on the AIS Web page.

Organisms in Trade Current Status and Needs

The Council will most likely not be able to meet the deadline of August 31, 2012. The DEQ is proposing to send a letter to the Governor Rick Snyder and the Legislature letting them know this. A draft letter will be developed and provided to the Council for review.

Some issues or organisms in trade that need to be addressed were identified as:

1. The definition of AIS: This is already being addressed in the SMP.
2. Risk assessment processes: The DNR/DEQ has a fellowship student working on risk assessment techniques and she will have some information to present to the Council. Matt Smego indicated that he would like more information on current risk assessment models/tools to compare to other processes that are out there (i.e., the University of Notre Dame and the United States Fish and Wildlife Service already have some existing tools). Tom Goniea and Dan Vogler will work together on this issue. This will be further discussed at the next Council meeting.
3. Harmonizing federal and state law: Tim Eder will take the lead on this.
4. Disease free program: There's no need to reinvent the wheel; Sea Grant has already completed similar work. Dan Vogler will contact Sea Grant to get more information.
5. Education program for safe uses: The IJC will take the lead for this issue.
6. Pure Michigan campaign: Tom Goniea provided some ideas. Matt Smego will take the lead for this issue.

Future Meetings

June 21, 2012, 9:00 a.m., Roscommon Township Hall, Roscommon

Meeting adjourned at 4:30 p.m.